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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Cao *et al.*

Confirmation No.: 5365

Application No.: 10/543,033 (nat'l stage of  
PCT/US04/01643, filed 01/21/04)

Group Art Unit: To be assigned

Filed: July 21, 2005

Examiner: To be assigned

For: METHODS FOR IDENTIFYING COMPOUNDS  
THAT MODULATE UNTRANSLATED REGION-  
DEPENDENT GENE EXPRESSION AND METHODS  
OF USING SAME

Attorney Docket No.: 10589-012-999

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56 AND § 1.97**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the United States Patent and Trademark Office ("USPTO") of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby invite the Examiner's attention to references A33-A43, B06-B07, and C191-C192 listed on the attached form entitled "List of References Cited by Applicants."

Copies of references B06-B07 and C191-C192 are submitted herewith. Copies of references A33-A43 are not submitted herewith because they are U.S. patents or U.S. Patent Application Publications. Pursuant to 37 C.F.R. § 1.98 (a)(2)(i) as amended (*see* Fed. Reg. vol. 69, no. 182, Sept. 21, 2004), the requirement for providing a copy of each U.S. patent or U.S. patent application publication listed in an Information Disclosure Statement in a patent application, regardless of the filing date of the application, was eliminated.

Identification of the listed references is not meant to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. §1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is believed to be due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Jones Day deposit account no. 50-3013. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: November 22, 2006

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Enclosures

By: Jennifer J. Chheda  
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**LIST OF REFERENCES CITED BY APPLICANT**  
(Use several sheets if necessary)

ATTY. DOCKET NO.  
10589-012-999

APPLICATION NO.  
10/543,033

APPLICANT  
Cao et al.

FILING DATE  
July 21, 2005

ART UNIT  
To be assigned

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR
	A33	6,004,749	12/21/1999	Giordano et al.	
	A34	6,107,029	08/22/2000	Giordano	
	A35	6,630,589	10/07/2003	Giordano et al.	
	A36	6,872,850	03/29/2005	Giordano et al.	
	A37	7,078,171	07/18/2006	Giordano et al.	
	A38	2002/0132257	09/19/2002	Giordano et al.	
	A39	2003/0199453	10/23/2003	Giordano et al.	
	A40	2004/0063120	04/01/2004	Beer et al.	
	A41	2004/0091866	05/13/2004	Giordano et al.	
	A42	2004/0138282	07/15/2004	Greig et al.	
	A43	2004/0152117	08/05/2004	Giordano et al.	

**FOREIGN PATENT DOCUMENTS**

		FOREIGN PATENT DOCUMENT COUNTRY CODE, NUMBER, KIND CODE (IF KNOWN)	DATE	NAME	PAGES, COLUMNS, LINES, WHERE RELEVANT PASSAGES OR RELEVANT FIGURES APPEAR	T
	B06	WO 01/084155	08/11/2001	Message Pharmaceuticals, Inc.		
	B07	WO 02/048150	06/20/2002	The Government of the United States of America		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials		(Include name of the author (in CAPITAL LETTERS), Title, Date, Pertinent Pages, Etc.)	T
	C191	DANNER et al., 1998, "Agonist regulation of human beta2-adrenergic receptor mRNA stability occurs via a specific AU-rich element," J. Biol. Chem. 273(6):3223-9	
	C192	ZUBIAGA et al., 1995, "The nonamer UUAUUUAUU is the key AU-rich sequence motif that mediates mRNA degradation," Mol. Cell. Biol. 15(4):2219-30	

**EXAMINER**

**DATE CONSIDERED**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

NYJD-1643047v1